

SUBCHAPTER F (6000) [RESERVED]
SUBCHAPTER G (7000) [RESERVED]
SUBCHAPTER H—RECREATION PROGRAMS

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Management [Reserved]**

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AUTHORITY: 43 U.S.C. 1181 (a) and (e), 43 U.S.C. 1201, 43 U.S.C. 1701 *et seq.*

SOURCE: 43 FR 40735, Sept. 12, 1978, unless otherwise noted.

Subpart 8200—General

§ 8200.0-1 Purpose.

This part 8200 provides procedures and practices for the management and use of public lands that have ecological or other natural history values of scientific interest.

**Subpart 8223—Research Natural
Areas**

§ 8223.0-1 Purpose.

The purpose of this part is to provide procedures for the management and protection of public lands having natural characteristics that are unusual

or that are of scientific or other special interest.

§ 8223.0-5 Definitions.

(a) *Research natural area* means an area that is established and maintained for the primary purpose of research and education because the land has one or more of the following characteristics:

(1) A typical representation of a common plant or animal association;

(2) An unusual plant or animal association;

(3) A threatened or endangered plant or animal species;

(4) A typical representation of common geologic, soil, or water features; or

(5) Outstanding or unusual geologic, soil, or water features.

(b) [Reserved]

§ 8223.0-6 Policy.

Areas established as research natural areas shall be of sufficient number and size to adequately provide for scientific study, research, and demonstration purposes.

§ 8223.1 Use of research natural areas.

(a) No person shall use, occupy, construct, or maintain facilities in a research natural area except as permitted by law, other Federal regulations, or authorized under provisions of this subpart 8223.

(b) No person shall use, occupy, construct, or maintain facilities in a manner inconsistent with the purpose of the research natural area.

(c) Scientists and educators shall use the area in a manner that is non-destructive and consistent with the purpose of the research natural area.

**Subpart 8224—Fossil Forest
Research Natural Area**

AUTHORITY: Sec. 103, San Juan Basin Wilderness Protection Act of 1984 (Pub. L. 98-603, 98 Stat. 3155), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), and 18 U.S.C. 641.

Bureau of Land Management, Interior

§ 8224.1

SOURCE: 50 FR 42123, Oct. 17, 1985, unless otherwise noted.

§ 8224.0-1 Purpose.

The purpose of this subpart is to provide procedures for the management and use of the public lands in the Fossil Forest of New Mexico.

§ 8224.0-2 Objectives.

The objectives are management in accordance with the Federal Land Policy and Management Act of 1976 and for protection of the aesthetic, natural, educational, and scientific research values of the Fossil Forest, including paleontological study, excavation and interpretation projects within the Fossil Forest, until Congress determines otherwise.

§ 8223.0-3 Authority.

This subpart is issued under the authority of the San Juan Basin Wilderness Protection Act of 1984 (Pub. L. 98-603, 98 Stat. 3155), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), and 18 U.S.C. 641.

§ 8224.0-5 Definitions.

As used in this subpart, the term:

(a) *Authorized officer* means any employee of the Bureau of Land Management designated to perform the duties described in this subpart:

(b) *Fossil* means the remains or trace(s) of an organism or assemblage of organisms which have been preserved by natural processes in the earth's crust. The term does not mean energy minerals, such as coal, oil and gas, oil shale, bitumen, lignite, asphaltum and tar sands, even though they are of biologic origin:

(c) *Fossil Forest* or *Fossil Forest Research Natural Area* means those public lands as described in section 103(a) of the San Juan Basin Wilderness Protection Act of 1984 (Pub. L. 98-603, 98 Stat. 3155).

§ 8224.0-6 Policy.

No activities will be permitted within the Fossil Forest that would significantly disturb the land surface or impair the existing natural, educational, and scientific research values of the area.

§ 8224.1 Use of the Fossil Forest Research Natural Area.

(a) Fossils may be collected, excavated, or removed only under a permit issued under § 2920.2-2 of this title by the Director, New Mexico State Office, Bureau of Land Management, P.O. Box 1449, Santa Fe, NM 87504-1419. Permits shall be issued only to institutions and individuals engaged in research, museum, or educational projects that are approved by the authorized officer and that provide for detailed recordation, reporting, care of specimens, and availability of specimens to other scientists and museums.

(b) Petrified wood shall not be collected and removed from the Fossil Forest either for free use as permitted under § 3622.3 of this title or for commercial sale as permitted under § 3610.1.

(c) The Fossil Forest is closed to motorized use, except as permitted by the authorized officer.

(d) Except as otherwise provided in paragraphs (a), (b), and (c) of this section, the provisions of part 8360 of this title apply to recreational use in the Fossil Forest.

(e) Rights-of-way may be approved only for temporary projects which do not significantly disturb the surface of the land or impair the existing values of the area.

(f) The grazing of livestock where such use was established before October 30, 1984, shall be allowed to continue under the regulations on the grazing of livestock on public lands in part 4100 of this title, so long as it does not disturb the natural, educational, and scientific research values of the Fossil Forest. Grazing permits or leases may be modified under § 4130.6-3 of this title, if necessary to protect these resources.

(g) The lands in Fossil Forest shall not be sold or exchanged except as authorized by section 105(b) of the San Juan Basin Wilderness Protection Act of 1984 (Pub. L. 98-603, 98 Stat. 3157).

(h) The Fossil Forest is closed to the operation of the mining laws and to disposition under the mineral leasing laws and geothermal leasing laws, as of October 30, 1984, subject to valid existing rights.

§ 8224.2

(i) Operations on oil and gas leases issued before October 30, 1984, are subject to the applicable provisions of Group 3100 of this title, including those set forth in §3162.5-1, and such other terms, stipulations, and conditions as the authorized officer deems necessary to avoid significant disturbance of the land surface or impairment of the area's existing natural, educational, and scientific research values, including paleontological study, excavation, and interpretation.

(j) The regulations in 43 CFR part 7 apply to the management and protection of archaeological resources in Fossil Forest.

(k) The paleontological resources of the Fossil Forest shall not be willfully destroyed, defaced, damaged, vandalized, or otherwise altered.

§ 8224.2 Penalties.

(a) Any person who willfully violates any prohibition under either §8224.1(b), (c) or (k) of this title shall be subject to a fine not to exceed \$1,000 or imprisonment of not to exceed 12 months, or both.

(b) Any person who willfully and without authorization collects or removes paleontological resources whose value is greater than \$100, for which a permit is required under §8224.1(a) or (b) of this title, shall be subject to a fine not to exceed \$10,000, or imprisonment not to exceed 10 years, or both (18 U.S.C. 641).

PART 8340—OFF-ROAD VEHICLES

Subpart 8340—General

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Subpart 8341—Conditions of Use

- 8341.1 Regulations governing use.
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Subpart 8343—Vehicle Operations

- 8343.1 Standards.

Subpart 8344—Permits

- 8344.1 Permit requirements.

AUTHORITY: 43 U.S.C. 1201, 43 U.S.C. 315a, 16 U.S.C. 1531 *et seq.*, 16 U.S.C. 1281c, 16 U.S.C. 670 *et seq.*, 16 U.S.C. 4601-6a, 16 U.S.C. 1241 *et seq.*, and 43 U.S.C. 1701 *et seq.*

SOURCE: 44 FR 34836, June 15, 1979, unless otherwise noted.

Subpart 8340—General

§ 8340.0-1 Purpose.

The purpose of this part is to establish criteria for designating public lands as open, limited or closed to the use of off-road vehicles and for establishing controls governing the use and operation of off-road vehicles in such areas.

§ 8340.0-2 Objectives.

The objectives of these regulations are to protect the resources of the public lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.

§ 8340.0-3 Authority.

The provisions of this part are issued under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*); the Taylor Grazing Act (43 U.S.C. 315a); the Endangered Species Act (16 U.S.C. 1531 *et seq.*); the Wild and Scenic Rivers Act (16 U.S.C. 1281c); the Act of September 15, 1960, as amended (16 U.S.C. 670 *et seq.*); the Land and Water Conservation Fund Act (16 U.S.C. 4601-6a); the National Trails System Act (16 U.S.C. 1241 *et seq.*) and E.O. 11644 (Use of Off-Road Vehicles on the Public Lands), 37 FR 2877, 3 CFR part 74, 332, as amended by E.O. 11989 42 FR 26959 (May 25, 1977).

§ 8340.0-5 Definitions.

As used in this part:

(a) *Off-road vehicle* means any motorized vehicle capable of, or designed for, travel on or immediately over land, water, or other natural terrain, excluding: